

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

CEDRIC DIXON

PLAINTIFF

V.

NO. 4:17-CV-86-DMB-RP

PELICIA HALL, et al.

DEFENDANTS

ORDER OF DISMISSAL

On November 15, 2017, United States Magistrate Judge Roy Percy issued a Report and Recommendation which recommends that this case be dismissed for failure to prosecute and failure to obey an order of the Court because Cedric Dixon failed to appear for a *Spears* hearing. Doc. #17. A copy of the Report and Recommendation was mailed to Dixon's address of record but was returned as undeliverable. Doc. #18. No objections to the Report and Recommendation were filed.

Where objections to a report and recommendation have been filed, a court must conduct a "de novo review of those portions of the ... report and recommendation to which the Defendants specifically raised objections. With respect to those portions of the report and recommendation to which no objections were raised, the Court need only satisfy itself that there is no plain error on the face of the record." *Gauthier v. Union Pac. R.R. Co.*, 644 F.Supp.2d 824, 828 (E.D. Tex. 2009).

Since it appears Dixon never received a copy of the Report and Recommendation, this Court, out of an abundance of caution, has reviewed the Report and Recommendation de novo. Having conducted a de novo review, the Court concludes that the Report and Recommendation accurately states the relevant facts and applies the relevant law. Therefore, the Report and Recommendation [17] is **ADOPTED** as the order of this Court and this action is **DISMISSED** for

failure to prosecute and failure to obey an order of the Court. A final judgment will issue separately.

SO ORDERED, this 15th day of March, 2018.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE